

**Notice of Allowability**

Application No.

09/657,039

Examiner

Carolyn M. Bleck

Applicant(s)

TOBEY, CHRISTOPHER LEE

Art Unit

3626

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 21 October 2005.
2. ☒ The allowed claim(s) is/are 1, 3-4, 7, 13, 15-16, 24-29, 34-35, 38-41, 43-47, 48-54 (now renumbered 1-31).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
JOSEPH THOMAS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600

## **DETAILED ACTION**

### ***Notice to Applicant***

1. This communication is in response to the supplemental amendment filed 21 October 2005. Claims 1, 3-4, 7, 13, 15-16, 24-29, 34-35, 38-41, 43-47, 48-54 (now renumbered 1-31) are allowable.

## **EXAMINER'S AMENDMENT**

2. The application has been amended as follows:

Please replace the title with the following:

A method and system for tracking computer hardware and software assets by allocating and tagging the asset with an asset tag barcode having a Software Distribution System (SDS) number and verifying the asset tag barcode upon entry of the asset at a destination site.

### ***Allowable Subject Matter***

3. Claims 1, 3-4, 7, 13, 15-16, 24-29, 34-35, 38-41, 43-47, 48-54 (now renumbered 1-31) are allowed.

4. The following is an examiner's statement of reasons for allowance:

The primary reason for allowance of claims 1, 3-4, 7, 13, 15-16, 24-29, 34-35, 38-41, 43-47, 48-54 (now renumbered 1-31) is the inclusion of the limitations, in all of the claims which is not found in the prior art references, of allocating a Software Distribution System (SDS) number associated with a tag, tagging said first asset of said assets with the tag, said first asset being a computer software

Art Unit: 3626

asset, said tag comprising an asset tag barcode, a part number or serial number barcode, and the SDS number, said SDS number comprising first, second, and third contiguously sequenced fields, said first field consisting of a venue code identifying a first destination site of the plurality of sites for the first asset, said second field consisting of a software type of the first asset, said third field consisting of a consecutive number index of the software type that makes the first asset unique for the software type at the first destination site, and receiving the tagged first asset at the destination site, said receiving comprising capturing the asset tag barcode and the SDS number from the tag of the tagged first asset, and verifying based on the tag, entry of the first asset at the destination site, being a current location, in said database.

The closest prior art, Maloney (6,392,543), teaches a method for tracking the removal and use of specific objects comprising (Abstract): tagging the plurality of mobile objects with a bar code identifier (col. 3 line 65 to col. 4 line 40); checking out and removing the mobile object from the storage unit, the mobile object being brought to a first site, for example, a vehicle, returning the mobile object to the storage site, checking the mobile object back into the storage site, where upon returning the object to the storage site the user rescans the bar code, and then checking the object out again to a second site, for example, another vehicle (col. 2 line 55 to col. 3 line 20, col. 4 lines 17-49, col. 6 lines 36-52, col. 9 line 65 to col. 10 line 21); assigning an identification tag in the form of a bar code to each mobile object (col. 3 line 65 to col. 4 line 40, col. 10 lines 1-21); and recording the identification codes of objects periodically to

Art Unit: 3626

maintain a log of objects that are removed from the storage site (col. 16 lines 7-36). The PALM reference relied on by the Examiner in combination with the Maloney reference disclosed a database system for maintaining a record on each item, including the location of the item, using a barcode reader to scan the barcode label to determine locations of the item (1-1, 2-4, 2-5), wherein an item is charged to a user, which is the office location of the item with respect to a central files, wherein an item, upon leaving the office of the user, is recorded in the database, wherein an item, upon leaving the office of a user is then charged to a new location in the database, wherein upon receiving the item at the new location, another user wanders the item and the database is updated with the new location of the item (4-1, 4-2).

However, these references do not teach the limitations of Applicant's invention discussed above. Therefore, these claims are allowable over the prior art.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. The cited but not applied prior art teaches:

a system and method for asset management (JP 2000194751 A);

Managing IT resources with an agent, The Jakarta Post, Jakarta: Dec 21, 1998. p. 1;

Art Unit: 3626

Cofix Unveils Free Online Solution to Help Businesses Manage IT Assets, Identify Optimal IT Service Providers, PR Newswire, New York: May 19, 2000. p. 1; and

Janus extends asset management capabilities with new Tivoli interface, Monica Simms, Wall Street & Technology. New York: Jul 1999. Vol. 17, Iss. 7; p. 22 (1 page).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carolyn Bleck whose telephone number is (571) 272-6767. The Examiner can normally be reached on Monday-Thursday, 8:00am – 5:30pm, and from 8:30am – 5:00pm on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached at (571) 272-6776.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 3626

7. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231


**Or faxed to:**

(571) 273-8300	[Official communications]
(571) 273-8300	[After Final communications labeled "Box AF"]
(571) 273-6767	[Informal/ Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand-delivered responses should be brought to the Knox Building, Alexandria, VA.

CB  
CB

October 28, 2005

  
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